IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 199 of 2005

Between:

A. Krishna Yadav S/o Late A. Jangaiah Yadav
R/o H. No. 9-1-34/C/1, Bapu Nagar, Langer House,
Hyderabad, A.P.

..... PETITIONER

AND

1 The District Collector, Hyderabad District, at nampally,
Hyderabad
2 Mandal Revenue Officer, Golconda Mandal, at Vijayanagar.
Colony, Hyderabad
3 Sri Sriramulu, Mandal Surveyor, Golconda Mandal, at
Vijayanagar Colony, Hyderabad

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the action of the respondents in attempting to dispossess the petitioner from the house bearing municipal number 13-6-798/1 and appurtenant vacant land, to an extent of 300 sq. yards without authority of law as illegal, arbitrary and violative of principles of natural justice and violative of Art.14, 19, and 21 of Constitution of India and consequently award compensation for illegal action of the respondents.

Counsel for the Petitioner: MR.VIJAY KUMAR DEVINENI

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

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ORDER:

The grievance of the petitioner is that though he is the owner of an extent of 300 Sq. Yards of land, the respondents, without any authority, are trying to interfere with his possession and trying to evict him unlawfully.

The contention of the learned Government Pleader appearing on behalf of the respondents is that since the petitioner is encroaching into some land belonging to the Government, the respondents are asking him to remove the encroachments made by him and are not interfering with his property.

If the petitioner encroached into the property belonging to the Government, he can be evicted by taking recourse to due process of law.

Petition is ordered accordingly. No order as to costs.

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(C.Y.SOMAYAJULU, J)

Dated April 12, 2005.

NOTE:

Issue C.C. in two days.

B/O

YCR

To

1 The District Collector, Hyderabad District, at nampally, Hyderabad

2 The Mandal Revenue Officer, Golconda Mandal, at Vijanagar Colony, Hyderabad

3. 2 CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT)

4) 2 CD copies

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